

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF

MICHIGAN

6

United States of America

v.

Jack Carpenter III

Case N: 2:23-30076

Honorable Mark A Goldsmith

F I L E D
JUL 18 2023
CLERK'S OFFICE
DETROIT

Notice of ~~competency~~ appeal

This does not contain the full extent of the appeal and is not intended to limit the scope of the appeal. On 6-22-2023 the docket in my case was updated to grant the US Attorney a motion for competency, as well as strike a motion to request a hybrid prose defense regarding motions that have been filed in my case as a result of ineffective assistance of counsel, and the defendant having to go around defense counsel to put certain facts on the record or make certain arguments.

The order for competency was issued while a valid challenge to jurisdiction was entered several times for the defense, for example ECF 1, 14, and 20, though other places on the record as well. IN ECF 26, Stricken by Judge Goldsmith, it starts by explicitly stating that no reasonable belief exists and the competency evaluation is in bad faith. After striking the motion from the record the judge then claims that: "Carpenter has not suggested - and the court has no reason to suspect - that the governments motion is frivolous or not made in good faith." I have in fact tried to state this on the record more than once.

ECF 14 was in the possession of the court and requested to be filed "WHEN" the government filed to strike claiming a hybrid defense. This was not done so I could not appeal the abuse of discretion in ~~denying~~ denying it. As a result I was denied a defense to competency and facts regarding the charge to jurisdiction were kept from the record. Attached are 2 letters I wish to be filed on the record to preserve arguments I am being denied through court games that are preventing a defense my counsel has refused to make for personal, not legal reasons.

Due to these reasons Defendant requests to move the court to stay the judgement regarding the motion of competence, approve any bond or security as I do not have

access to funds while in the detention ~~processing~~ center, ~~and~~ as I wish to motion the court of appeals to hear the motion of challenge to lack of jurisdiction on the merits, if found lacking, the motion for competency while including the briefs and replies that were struck in regards to a hybrid defense abuse of discretion, ~~then the motion~~ ~~stricken~~. I wish to move the court of appeals to hear these motions while the full record is shown so that it can be of judicial notice and none of my defense is tainted or denied as a result of ineffective counsel which I have shown.

I also move the district court to appoint new counsel that meets the requirements in my letter requesting new counsel. I am requesting this in the notice of appeal to prevent the judge from striking the motions from the record.

Also motions stricken as ECF 33, 36, and 38 are jurisdictional challenges that should be addressed before competency is evaluated, again with the full record available, including the other stricken motions so there are no other falsities claimed like that I did not allege something I clearly did allege. I have been denied the ability to defend myself.

The court cannot claim an unevaluated legal claim where it strikes all facts regarding it from the record is irrational. Especially when aware the US Department responsible for understanding the area of law used has confirmed the argument the court now calls "irrational", without merit. A lawful international armed conflict is not "irrational", the court was made aware of the law used, multiple times. Games were played to keep facts out of "judicial notice" while the judge was, in fact, very much aware. He abused his discretion to keep them off the record. There is a letter on the record clearly indicating the attorney for defense refusal to file facts with a stricken motion to request the court allow the principle to speak due to the agent's unwillingness to do so.

I told him to speak, he said no. I spoke for myself and the judge suppressed it saying I had to speak through the person that refused, while agreeing it had nothing to do with facts or law, but personal opinion. This is not just ineffective assistance of counsel, it is criminal behavior. I was denied a defense through court rule games and lawyers playing with the record.

The tweets that lie outside of previous arguments that judge goldsmith claim display irrationality have no basis in displaying the inability to understand the proceedings or being unable to participate in my defense. While they may seem irrational beliefs or something that others may not agree with or seem as

If someone believes something others cannot fathom, they are a result of things that I have seen evidence to form them, even if others agree or disagree with the evidence or conclusions formed from it. It is similar to saying that someone who believes the earth is flat is incompetent or vice versa. Someone who thinks medication that is licensed in a way that legally defines it as experimental, and believes claims like "it's 95% effective at preventing SARS-COV-2, that's why you need one every 6 months" being made by the company that paid the largest criminal fine in US history for lying about what its products can do, falsifying safety studies, and bribing doctors are incompetent, or vice versa. People weigh evidence differently and express themselves differently and experience life differently. Are every expression of one's reality different than the prosecutor's and judges evidence of a mental illness? Or just ones that are uncommon? The ones being used to claim form a "reasonable belief" are due to things I've personally witnessed mixed with what I've been told by people I believe to be prophets from the Lord. Does this mean that I don't understand that the government wants to put me in a cage for 0-5 years or that it is evidence for my defense that my phone records will verify I spoke to the US State Dept. about my lawful international arms conflict and they walked me through obtaining a non-immigrant visa because they understood my legal claims that judge Goldsmith called irrational? No. These things are unrelated. At what point does it mean I shouldn't express my beliefs because I may have to go to court one day, and something I feel evidence supports will be deemed incompetence by a US Attorney? Seems the courts have a habit of claiming unheard legal theories, for example Sovereign Citizens claims, mean a person is insane. While my claim has nothing to do with that legal theory, those operating in the justice system seem to like to both make that association, and irrationally assume it means one does not understand reality. Where as I clearly see it is entirely unrelated to claims dealing with the DOD Law of War manual chapters 1-11, as well as is a pretty obvious legal question: "What happened to article 4 section 2 'citizens of the Several States' when the 14th Amendment was adopted?" Where the answer lies in the US Supreme Court Slaughter house cases, over turned for other reasons. That there are in fact 2 different citizens in the US, and the rights of each vary based on the character of Citizenship. It's odd how

legal questions already answered by the US Supreme Court are able to form the idea that people who claim them are incompetent. Who then is the one that is irrational? Who is incompetent, truly? The court needs to be more careful as to what constitutes a "Reasonable belief" of incompetence. It seems that what is reasonable to one is not to another. Or as in my case, just an excuse to generate a smear campaign to hide government fraud and clear felonies committed by powerful people.

For example, the FBI, Office of Inspector General, the US Attorney and the Joint chief of Staff are aware that President Biden said on TV. "What are you waiting for, they are FDA approved?" Regarding Comirnaty, while it was publicly posted on the CDC website that Pfizer had no intention of manufacturing an FDA approved version meaning no FDA approved version was ever available to the US public. That's an impeachable offense and a felony in every state. I am being deemed possibly incompetent in bad faith for knowing facts like that. But now the question arises, is Biden incompetent, lacking an understanding of reality or willfully defrauding the American Public? Maybe the answer will depend on the beliefs of the judge he gets, if the US Justice System actually started targeting the criminals.

It should be pointed out that the abuse of discretion in regards to the hybrid pro se defense is due to the arguments or lack thereof of counsel, as defense counsel should have filed the motions themselves or adopted them or supplemented them. Then ^{He} agreed that ECF 44 should be heard after competency ~~determination~~ which prevented the motions I filed from being judicially known during the competency determination, which would have forced the correct order. However, the discretion of the judge ruling to prevent a hybrid defense left me absent a defense entirely, and that was due to the not only ineffective, but antagonistically detrimental behavior of counsel.

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF
MICHIGAN

United States

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Jack Eugene Carpenter III

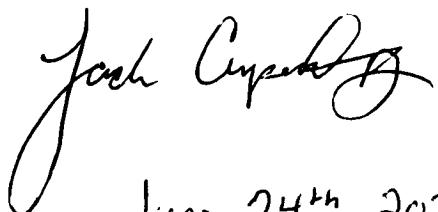
Case No: 2:23-30074

Honorable Mark A Goldsmith

Declaration of Inmate filing and Request for
transcripts

I am ~~an inmate at~~ Detainee confined at Milan Detention Center. Today June 24th, 2023 I am depositing the Notice of appeal and 2 letters for the judge in this case ~~in~~ in the institution's internal mail system. I also request a copy of the transcript for myself and one for the appeals court, and the court to waive the costs.

I declare as truthful and factual that the foregoing is true and correct. (See 28 U.S.C. § 1746; 18 U.S.C. § 1621)



June 24th, 2023

Jack Carpenter 45173-510

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CLERK OF THE COURT OF

HONORABLE MARK A GOLDSMITH

Theodore Levin US Courthouse
231 west Lafayette blvd, 5th Floor
Detroit, MI 48226

MARK A GOLDSMITH
U.S. DISTRICT JUDGE
EASTERN DISTRICT OF MICHIGAN

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